



**PLANNING COMMISSION
MINUTES**

May 23, 2017

The Planning Commission convened in a regular meeting on May 23, 2017@ 301 W. 2nd Street, Austin, TX 78701.

Chair Oliver called the Commission Meeting to order at 6:02 p.m.

Commission Members in Attendance:

Greg Anderson
Fayez Kazi – Vice-Chair (*absent for consent agenda*)
Karen McGraw
Tom Nuckols
Stephen Oliver – Chair
Patricia Seeger
James Shieh
Jose Vela
Nuria Zaragoza

William Burkhardt – Ex-Officio

Absent:

Angela De Hoyos Hart
James Schissler
Jeffrey Thompson
Trinity White

Ann Teich – Ex-Officio

Robert Hinojosa – Ex-Officio

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The commission may not conduct a closed meeting without the approval of the city attorney.

Private Consultation with Attorney – Section 551.071

A. CITIZEN COMMUNICATION

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Ms. Jo Sue Howard – Ms. Howard discussed a rezoning case that occurred in the Judges Hill Neighborhood.

Mr. Jeb Boyt – Mr. Boyt discussed matters related to Imagine Austin and the need to have a compact and connected City.

B. APPROVAL OF MINUTES

1. Approval of minutes from May 9, 2017.

Motion to approve the minutes from May 9, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

C. PUBLIC HEARINGS

1. Plan Amendment: [NPA-2016-0014.01 - 4500 Nuckols Crossing Road; District 2](#)

Location: 4500 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Angelous Angelos, John Sasaridis and Smith County Affordable Housing LTD
Agent: A. Ron Thrower (Thrower Design)
Request: Single Family, Recreation & Open Space to Multifamily land use
Staff Rec.: **Indefinite postponement request by the Applicant**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for indefinite postponement of this item was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

2. Plan Amendment: [NPA-2016-0016.04 - The Rail Spur Building; District 3](#)

Location: 618 Tillery Street, Colorado River Watershed; East Cesar Chavez NP Area
Owner/Applicant: Tom Calhoon
Agent: Land Use Solutions, LLC (Michele Hausmann)
Request: Office and Mixed Use to Commercial and Mixed Use land uses
Staff Rec.: **Pending; Postponement request by Applicant to June 13, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to June 13, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

3. Rezoning: [C14-2017-0020 - The Rail Spur Building; District 3](#)

Location: 618 Tillery Street, Colorado River Watershed; East Cesar Chavez NP Area
Owner/Applicant: Tom Calhoon
Agent: Land Use Solutions, LLC (Michele Hausmann)
Request: LO-CO-NP and LO-MU-CO-NP to GR-NP and GR-MU-NP
Staff Rec.: **Pending; Postponement request by Applicant to June 13, 2017**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to June 13, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

4. Plan Amendment: [NPA-2016-0016.01 - 3212 E. Cesar Chavez; District 3](#)

Location: 3212 East Cesar Chavez Street & 111 Tillery Street, Colorado River Watershed; Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Painter Enterprises, Inc. a Texas Corporation
Agent: Husch Blackwell (Nikelle Meade)
Request: Commerical and Industry to Multifamily and Mixed Use land use (application amended on April 25, 2017)
Staff Rec.: **Pending; Postponement request by Staff to June 13, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to June 13, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

5. **Rezoning:** [C14-2016-0079 - 3212 E. Cesar Chavez; District 3](#)

Location: 3212 East Cesar Chavez Street, 111 Tillery Street, Colorado River Watershed; Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Painter Enterprises, Inc. a Texas Corporation
Agent: Husch Blackwell (Nikelle Meade)
Request: CS-CO-NP and LI-CO-NP to MF-6-CO-NP and CS-MU-CO-NP, as Amended
Staff Rec.: **Pending; Postponement request by Staff to June 13, 2017**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to June 13, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

6. **Plan Amendment:** [NPA-2016-0005.04 - 500 Montopolis Drive; District 3](#)

Location: 500 Montopolis Drive, Country Club East Creek Watershed; Montopolis NP Area
Owner/Applicant: KEEP Investment Group LLC
Agent: Drenner Group (Leah Bojo)
Request: Single Family to Mixed Use land use
Staff Rec.: **Postponement request by Applicant to June 27, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to June 27, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

7. **Plan Amendment:** [NPA-2016-0002.01 - 78 San Marcos St.; District 3](#)

Location: 78 San Marcos Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Carrie Altemus
Agent: McLean & Howard, LLP (Jeff Howard)
Request: Civic to Neighborhood Mixed Use land use
Staff Rec.: **Neighborhood Mixed Use**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Zaragoza, seconded by Commissioner Seeger to grant Staff's recommendation of Neighborhood Mixed use land use was approved on a vote of 8-1. Commissioner McGraw voted nay. Vice-Chair Kazi off the dais and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

8. Rezoning: [C14H-2017-0006 - 78 San Marcos St.; District 3](#)

Location: 78 San Marcos Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Carrie Altemus
Agent: McLean & Howard, LLP (Jeff Howard)
Request: SF-3-NP to LO-MU-H-NP
Staff Rec.: **LO-MU-CO-H-NP**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Zaragoza, seconded by Commissioner Seeger to grant Staff's recommendation of LO-MU-CO-H-NP combining district zoning, with additional conditions, was approved on a vote of 8-1. Commissioner McGraw voted nay. Vice-Chair Kazi off the dais and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

Additional condition:

Structure is limited to 2 stories or 30 feet.

9. Rezoning: [C14-2017-0033 - 9501 Stonebridge Drive; District 4](#)

Location: 9501 Stonebridge Drive, Little Walnut Creek Watershed; North Austin Civic Association NP Area
Owner/Applicant: David and Reyna Lippincott
Request: LO-CO-NP to LO-NP
Staff Rec.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of LO-NP combining district zoning was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

10. Rezoning: [C14-2017-0025 - Pompee-Clarke-Cook House; District 9](#)

Location: 2203 Nueces Street, Shoal Creek Watershed; West University NP Area
Owner/Applicant: 2203 Nueces, L.P. (Brad Zucker)
Agent: Mike McHone Real Estate (Mike McHone)
Request: GR-MU-H-CO-NP to GR-MU-CO-NP
Staff Rec.: **Recommended**
Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of GR-MU-CO-NP combining district zoning was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

11. Plan Amendment: [NPA-2017-0013.01 - Bouldin Creek Neighborhood Plan Area-Wide Garage Placement; District 9](#)

Location: Area bounded by Lady Bird Lake on the north, South Congress Avenue on the east, Oltorf Street on the south and the Union Pacific Railroad tracks on the west, West Bouldin Creek Watershed; East Bouldin Creek Watershed; Bouldin Creek NP Area
Owner/Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Current Chair. Application was submitted by Stuart Hampton, Previous Chair)
Agent: Sean Kelly, Chair
Request: To add the Garage Placement Design Tool to the neighborhood planning area to single-family residential use, a duplex residential use, or a two-family residential use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion by Commissioner Seeger, seconded by Commissioner McGraw to grant Neighborhood's request for postponement was approved on a vote of 7-1. Commissioner Anderson voted nay. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

- 12. Rezoning:** [C14-2017-0026 - Bouldin Creek Neighborhood Plan Area-Wide Garage Placement; District 9](#)
- Location: Area bounded by Lady Bird Lake on the north, South Congress Avenue on the east, Oltorf Street on the south and the Union Pacific Railroad tracks on the west, West Bouldin Creek Watershed; East Bouldin Creek Watershed; Bouldin Creek NP Area
- Owner/Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Current Chair. Application was submitted by Stuart Hampton, Previous Chair)
- Agent: Sean Kelly, Chair
- Request: To add the Garage Placement Design Tool to the neighborhood planning area to single-family residential use, a duplex residential use, or a two-family residential use
- Staff Rec.: **Recommended**
- Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Motion by Commissioner Seeger, seconded by Commissioner McGraw to grant Neighborhood’s request for postponement was approved on a vote of 7-1. Commissioner Anderson voted nay. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

- 13. Rezoning:** [C14-2017-0021 - Pathways at Goodrich; District 5](#)
- Location: 1805 Rabb Glen Street, West Bouldin Creek Watershed; Zilker NP Area
- Owner/Applicant: Housing Authority of the City of Austin
- Agent: Stantec Inc (Stephen Rye)
- Request: CS to MF-3
- Staff Rec.: **Recommended**
- Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff’s recommendation of MF-3 district zoning for C14-2017-0021 - Pathways at Goodrich located at 1805 Rabb Glen Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

- 14. Rezoning:** [C14H-2017-0039 - Carrington Bluff; District 9](#)
- Location: 1900 David Street, Shoal Creek Watershed; West University NP Area
- Owner/Applicant: Old West 19th, Ltd.
- Agent: Phoebe Allen
- Request: SF-3-CO-NP to SF-3-H-CO-NP
- Staff Rec.: **Recommended**
- Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation of SF-3-H-CO-NP combining district zoning for C14H-2017-0039 - Carrington Bluff located at 1900 David Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

15. Rezoning: [C14H-2017-0038 - Pennybacker-Alexander House; District 9](#)

Location: 811 E. 38th Street, Shoal Creek Watershed; North University NP Area
Owner/Applicant: Alexander M. Davern
Agent: Phoebe Allen
Request: SF-2-CO-NP to SF-2-H-CO-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation of SF-2-H-CO-NP combining district zoning for C14H-2017-0038 - Pennybacker-Alexander House located at 811 E. 38th Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

16. Restrictive [C14-88-0129\(RCT\) - Stonebrige Drive; District 4](#)

Covenant Termination:
Location: 9501 Stonebridge Drive, Little Walnut Creek Watershed; North Austin Civic Association NP Area
Owner/Applicant: David and Reyna Lippincott
Request: Request to terminate/delete a restrictive covenant associated with zoning case C14-88-129-CO as it applies to the property located at Lot 1 of the Quail Creek PHS 3, Section 2 Subdivision. This public restrictive covenant contains language stating that, "If use of the Property as dental laboratory use is discontinued for 90 consecutive days, the Owner of the Property will not object to the City of Austin rezoning the Property to "SF-3" Family Residence district."
Staff Rec.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation to terminate/delete a restrictive covenant associated with zoning case C14-88-129-CO as it applies to the property located at Lot 1 of the Quail Creek PHS 3,

Section 2 Subdivision. This public restrictive covenant contains language stating that, “If use of the Property as dental laboratory use is discontinued for 90 consecutive days, the Owner of the Property will not object to the City of Austin rezoning the Property to “SF-3” Family Residence district.” for C14-88-0129(RCT) - Stonebrige Drive was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

17. Code Amendment: [C20-2017-001 - Historic Landmark Commission Majority Vote](#)

Request: Discuss and consider an amendment to Title 25 of the City Code to change Historic Landmark Commission voting requirements such that a simple majority is required to recommend Historic Zoning over the objection of a property owner.

Staff Rec.: **Recommended**

Staff: Greg Dutton, 512-974-3509, Greg.Dutton@austintexas.gov
Planning and Zoning Department

Motion to grant request for postponement by the Home Builders Association of Greater Austin to June 13, 2017 for item C20-2017-001 - Historic Landmark Commission Majority Vote was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

18. Code Amendment: [C20-2016-009 - Watershed and Environmental Protection Amendments](#)

Request: Discuss and consider amendments to sections of City Code Chapters 25-1 and 30-1 relating to definitions, Chapters 25-7 and 30-4 relating to drainage, Chapters 25-8 and 30-5 relating to environmental protection, and Chapter 25-2, Subchapter B, Article 2, D

Staff Rec.: **Recommended**

Staff: [Andrea Bates](#), 512-974-2291
Watershed Protection Department

Public Hearing closed.

Motion by Commissioner Zaragoza, seconded by Commissioner McGraw to grant amendments to sections of City Code Chapters 25-1 and 30-1 relating to definitions, Chapters 25-7 and 30-4 relating to drainage, Chapters 25-8 and 30-5 relating to environmental protection, and Chapter 25-2, Subchapter B, Article 2, D was approved on a vote of 8-0. Commissioner Nuckols recused on this item (*conflict of interest due to legal services rendered to client*). Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

19. Code Amendment: [C20-2016-0016 - Neighborhood Plan Amendment Applications](#)

Request: Discuss and consider an amendment to Title 25 of the City Code amending Article 16, Section 25-1-804 relating to the Neighborhood Plan Amendment applications.

Staff Rec.: **Recommended**

Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation to amend Title 25 of the City Code amending Article 16, Section 25-1-804 relating to the Neighborhood Plan Amendment applications was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

20. Resubdivision: [C8-2016-0141.0A - Resubdivision of Lot 7, Block B, Schieffer Place, Section 5; District 9](#)

Location: 3901 Brookview Road, Boggy Creek Watershed; Upper Boggy Creek NP Area

Owner/Applicant: BDB Ventures, LLC (Shawn Breedlove)

Agent: BDB Ventures, LLC (Dale Thornton)

Request: Approval of the resubdivision of one lot into a three lot subdivision on 0.634 acres.

Staff Rec.: **Recommended**

Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

The motion to grant neighborhood's request for postponement to June 27, 2017 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

21. Right-of-Way Encroachment: [F# 9763-1610 – Subsurface Encroachment of a portion of San Antonio Street and West Martin Luther King Jr. Boulevard; District 9](#)

Location: San Antonio Street and West Martin Luther King Jr. Boulevard (Adjacent to 414 West Martin Luther King Jr. Boulevard)

Applicant: Richard Suttle

Owner: Washoe Company

Request: Subsurface Encroachment of a portion of San Antonio Street and West Martin Luther King Jr. Boulevard Right-of-Way by a below ground four level parking garage near the intersection of San Antonio Street and West Martin Luther King Jr. Boulevard.

Staff Rec.: **Recommended**

Staff: [Andy Halm](#), Senior Property Agent, 512-974-7185
Office of Real Estate Services

Public Hearing closed.

The motion to grant staff recommendation for F# 9763-1610 – Subsurface Encroachment of a portion of San Antonio Street and West Martin Luther King Jr. Boulevard located at San Antonio Street and West Martin Luther King Jr. Boulevard was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

22. Right –of- Way Encroachment: [F# 9680-1605, F# 9681-1605, F# 9682-1605 – Aerial Encroachment of a portion of East Cesar Chavez Street Right-of-Way; District 9](#)
Location: Near the intersection of East Cesar Chavez Street and Trinity Street.
Applicant: Richard Suttle
Owner: South ½ Block 8 Venture
Request: Aerial Encroachment of a portion of East Cesar Chavez Street Right-of-Way by a cantilevered / overhead enclosed building space near the intersection of East Cesar Chavez Street and Trinity Street.
Staff Rec.: **Recommended**
Staff: [Andy Halm](#), Senior Property Agent, 512-974-7185
Office of Real Estate Services

Additional language read into the record on May 23, 2017:

F# 9681-1605 – Subsurface Encroachment of a portion of East Cesar Chavez Street Right-of-Way by an underground parking garage near the intersection of East Cesar Chavez Street and Trinity Street.

Public Hearing closed.

The motion to grant staff recommendation for F# 9680-1605, F# 9681-1605, F# 9682-1605 located near the intersection of East Cesar Chavez Street and Trinity Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

23. Right –of- Way Encroachment: [F# 9783-1612 - Proposed Right-of-Way encroachment at Guadalupe St at W 22nd St; District 9](#)
Location: Guadalupe Street at W. 22nd Street
Applicant: Mike McHone
Owner: Church of Scientology of Texas
Request: Aerial Encroachment of a portion of Guadalupe Street and West 22nd Street by a 2nd Floor and roof structure. Surface Encroachment of a portion of West 22nd Street by an existing fire escape stairs near the intersection of Guadalupe Street and West 22nd Street.

Staff Rec.: **Recommended**
Staff: [Andy Halm](#), Senior Property Agent, 512-974-7185
Office of Real Estate Services

Public Hearing closed.

The motion to grant staff recommendation for F# 9783-1612 - Proposed Right-of-Way encroachment at Guadalupe St at W. 22nd St located at Guadalupe Street and W. 22nd Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

24. Aerial Right-of-Way Encroachment: [F#9784-1612 – Aerial Encroachment of a portion of East 4th; District 9](#)
Location: Near the intersection of East 4th Street and Neches Street
Owner: Austin Convention Enterprise, Inc.
Agent/Applicant: Husch Blackwell (Nikelle Meade)
Request: Aerial Encroachment of a portion of East 4th Street by a pedestrian bridge near the intersection of East 4th Street and Neches Street. Encroachment will be used for an overhead pedestrian bridge to connect the existing Hilton Hotel and the Convention Center.
Staff Rec.: **Recommended**
Staff: [Andy Halm](#), 512-974-7185
Office of Real Estate Services

Public Hearing closed.

The motion by Vice-Chair Kazi, seconded by Commissioner Shieh to grant Staff 's recommendation for F#9784-1612 – Aerial Encroachment of a portion of East 4th Street, with additional conditions, located near the intersection of East 4th Street and Neches Street was approved on a vote of 7-2. Commissioners Anderson and Vela voted nay. Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

Conditions included:

Recommendations by Downtown Commission (see [Staff Report pg. 20](#))
Recommendations by Design Commission (See [Recommendation](#))
Recommendations by Urban Transportation Commission (see [Staff Report pg. 17](#))

Additional Conditions:

Allow the installation of banners with the approval of the Austin Transportation Department.

Require permanent signage informing citizens that the overhead pedestrian bridge is for public use.

25. **Final Plat - Resubdivision:** [C8-2017-0106.0A - 7 Sam Huston Heights; Resubdivision of Lot 7D of the Resubdivision of Lot; District 1](#)
 Location: 3407 East 12th Street, Tannehill Branch Watershed; East MLK Combined (MLK) NP Area
 Owner/Applicant: Charles Brown
 Agent: Hector Avila
 Request: Approval of the 7 Sam Huston Heights; Resubdivision of Lot 7D of the Resubdivision of Lot Final Plat composed of 2 lots on 0.498 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
26. **Final Plat - Resubdivision:** [C8-2017-0098.0A - 700 East 11th Street Subdivision; District 1](#)
 Location: 700 East 11th Street, Waller Creek Watershed; Downtown Master Plan
 Owner/Applicant: Texas Motor Transportation & Oil Field Haulers, Inc. (John Esparza)
 Agent: Stantec Inc. (Nick Brown)
 Request: Approval of 700 East 11th Street Subdivision composed of 1 lot on 0.81 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
27. **Preliminary Plan:** [C8-2017-0105.SH - Austin Gardens; District 1](#)
 Location: 5603 Hudson Street, Fort Branch Watershed; MLK-183, East MLK Combined NP Area
 Owner/Applicant: Ed Sapir
 Agent: Perales Engineering, LLC (Jerry Perales)
 Request: Approval of the Austin Gardens Preliminary Plan composed of 40 lots on 5.64 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
28. **Final Plat - Resubdivision:** [C8-2017-0114.0A - Evergreen Subdivision; District 5](#)
 Location: 1800 Evergreen Avenue, West Bouldin Creek; Zilker NP Area
 Owner/Applicant: 1800 Evergreen Development, LLC (Taylor Wilson-Membe)
 Agent: Thompson Land Engineering, LLC (Cindy Garza)
 Request: Approval of 1800 Evergreen composed of 1 lot on 0.75 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

29. **Final Plat - Resubdivision:** [C8-2017-0111.0A - Gault Street Final Plat; District 7](#)
 Location: 7709 Gault Street, Waller Creek Watershed; Crestview/Wooten Combined (Crestview) NP Area
 Owner/Applicant: Katahomes, Inc. (Kurt Thiemer)
 Agent: Perales Engineering, LLC (Jerry Perales)
 Request: Approval of the Gault Street Final Plat composed of 2 lots on 0.33 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
30. **Final Plat - Resubdivision:** [C8-2017-0102.0A - Haven at New Tech; District 1](#)
 Location: 12200 Jourdan Crossing Boulevard, Walnut Creek Watershed
 Owner/Applicant: Darla Kruger, Executor of Estate of Travis Kruger (Travis Kruger)
 Agent: Big Red Dog (Marisa Keiser)
 Request: Approval of the Haven at New Tech composed of 1 lot on 18.18 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
31. **Final Plat - Resubdivision:** [C8-2017-0099.0A - JW Ranch Estates; District 7](#)
 Location: 3601 McNeil Drive, Williamson Creek Watershed
 Owner/Applicant: Julie Gaye Millegan
 Agent: Place Designers, Inc. (Vincent Shaw)
 Request: Approval of the JW Ranch Estates composed of 3 lots on 3 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
32. **Final Plat - Previously Unplatted:** [C8-2017-0101.0A - Kylee Addition; District 1](#)
 Location: 7715 Delwau Lane, Colorado River Watershed
 Owner/Applicant: Interest Partners
 Agent: Enum Properties (Lisa Gray)
 Request: Approval of the Kylee Addition composed of 10 lots on 11.7 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
33. **Final Plat - Resubdivision:** [C8-2017-0095.0A - Merz Addition; District 1](#)
 Location: 1308 Navasota Street, Waller Creek Watershed; Central East Austin NP Area
 Owner/Applicant: Merz Ronald William
 Agent: Land Strategies (Erin Welch)
 Request: Approval of Merz Addition composed of 2 lots on 0.24 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 34. Final Plat - Previously Unplatted:** [C8-2017-0100.0A - Metcalfe Townhomes; District 3](#)
 Location: 2624 Metcalfe Road, Country Club West Watershed; East Riverside/Oltorf Combined (Parker Lane) NP Area
 Owner/Applicant: Spark Root Development, LLC (Sunil Lavani)
 Agent: 360 Professional Services, Inc. (Scott J. Foster, P.E.)
 Request: Approval of the Metcalfe Townhomes Final Plat composed of 1 lot on 2.75 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 35. Final Plat - Resubdivision:** [C8-2017-0096.0A - Resubdivision of Lot 15 Parkinson Place No. 1; District 9](#)
 Location: 1503 Betty Jo Drive, Harpers Branch Watershed; South River City NP Area
 Owner/Applicant: LZA Real Properties East (Jerry Johnson)
 Agent: Marc Dickey
 Request: Approval of Resubdivision of Lot 15 Parkinson Place No. 1 composed of 2 lots on 0.38 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 36. Final Plat - Resubdivision:** [C8-2017-0113.0A - Resubdivision of Lot 5 Block 12 Habicht Addition of Outlot 34 Division B; District 1](#)
 Location: 2208 East 14th Street, Boggy Creek Watershed; Chestnut NP Area
 Owner/Applicant: John Chen
 Agent: Fayez Kazi (Civiltude, LLC)
 Request: Approval of the Resubdivision of Lot 5 Block 12 Habicht Addition of Outlot 34 Division B.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 37. Final Plat:** [C8-2017-0094.0A - Yom Tract Subdivision; District 8](#)
 Location: 8016 West US 290 Highway, Williamson Creek Watershed-Barton Springs Zone; West Oak Hill NP Area
 Agent: Buffalo Equities, Ltd. (Chris Mallett) & LJA Engineering (Eva Wong)
 Request: Approval of Yom Tract Subdivision composed of 3 lots on 6.01 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearings closed.

Motion to disapprove items 25-37 was approved on the consent agenda by Commissioner Seeger seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

D. NEW BUSINESS

1. **Municipal Utility District:** [C12M-2017-0002; C12M-2017-0003; C12M-2017-0004; and C12M-2017-0005 - Southeast Travis County Municipal Utility District Nos. 1-4; District 2](#)
- Location: Located at the northwest corner of the intersection of Pearce Lane and Wolf Lane, Dry Creek East Watershed
- Owner/Applicant: Qualico CR, LP (Vera Massaro)
- Agent: Armbrust & Brown (Amanda Morrow)
- Request: Amend provisions of the Consent Agreements between the City and the Southeast Travis County MUD Nos. 1-4 relating to (1) affordable housing; (2) MUD bonding capacity; and (3) temporary use of pump and haul operations for untreated wastewater.
- Staff Rec.: **Recommended**
- Staff: [Virginia Collier](#), 512-974-2022
Planning and Zoning Department

Motion to grant staff's recommendation for C12M-2017-0002; C12M-2017-0003; C12M-2017-0004; and C12M-2017-0005 - Southeast Travis County Municipal Utility District Nos. 1-4 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Zaragoza on a vote of 8-0. Vice-Chair Kazi (absent for consent agenda) and Commissioners De Hoyos Hart, Schissler, Thompson and White absent.

E. ITEMS FROM COMMISSION

1. CodeNEXT

Discussion and possible action regarding matters related to CodeNEXT including but not limited to staff updates, presentations and scheduling. (Sponsor: Chair Oliver; Co-Sponsor: Vice-Chair Kazi)

Item discussed; no action taken.

F. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) – Commissioner Zaragoza informed the Commission that the Committee reviewed the Watershed Protection proposed amendments, the Historic Landmark Commission super-majority vote amendment, and the Neighborhood Plan Amendment amendment.

[Comprehensive Plan Joint Committee](#) – No report provided.

[Land Development Code Advisory Group](#) – No report provided.

[Small Area Planning Joint Committee](#) – No report provided.

Chair Oliver adjourned the meeting without objection on Tuesday, May 23, 2017 at 9:52 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Jerry Rusthoven at Planning & Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.